

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

**JAMES HOLMAN, on behalf of himself)
and all others similarly situated,)**

Plaintiff,)

v.)

MACON COUNTY, TENNESSEE,)


Defendant.)

**No. 2:10-00036
Judge Campbell**

ORDER

For the reasons explained in the accompanying Memorandum, Plaintiff James Holman's "Motion for Class Certification" (Docket No. 15) is hereby GRANTED. In accordance with Federal Rules of Civil Procedure 23(c)(1), the Court certifies a class of those persons who, since April 13, 2009, have been, are, or will be, presented to a Macon County Judicial Commissioner for the setting of bail.¹ The class issue to be determined is whether there is an unconstitutional practice, pattern or policy by Macon County Judicial Commissioners of setting bail, or denying bail, without an individual assessment of the accused's likelihood to flee or be a danger to the community if released. The Court appoints Jerry Gonzalez as class counsel.

It is SO ORDERED.



Todd J. Campbell
United States District Judge

¹The future class members are included solely as to injunctive relief, and not for purposes of any compensatory damages.